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# HOUSE CONCURRENT RESOLUTION

URGING THE ADOPTION OF LAWS TO REQUIRE WRITTEN PERMISSION FROM  
THE LANDOWNER IN ORDER TO HUNT ON PRIVATE LANDS.

1           WHEREAS, farmers and ranchers have continually experienced  
2 problems, including damage and injury caused by trespassing  
3 hunters, yet despite section 663-10.99, HRS they feel they have  
4 no recourse against them and are defenseless against claims by  
5 the trespassers for incidents on private land despite the  
6 trespassers' illegal entry; and

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8           WHEREAS, poaching and agricultural theft have escalated  
9 over the years and must be better controlled through proper  
10 enforcement and strict sentencing; and

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12           WHEREAS, trespassing hunters also present safety issues for  
13 the farmers, ranchers, their families, and workers; and

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15           WHEREAS, existing laws inadequately protect private  
16 landowners from bodily injury and damage to property, livestock,  
17 and crops as a result of entry onto private property by  
18 trespassers engaged in hunting with firearms; and

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20           WHEREAS, private landowners are willing to work with  
21 licensed hunters who often assist the landowners in controlling  
22 the population of feral ungulates such as pigs, goats, and deer  
23 that damage the environment; and

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25           WHEREAS, requiring written permission from private  
26 landowners for hunting or other legitimate purposes is the very  
27 least that should be done to address the ongoing concerns of  
28 property owners relating to trespass; now, therefore,

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30           BE IT RESOLVED by the House of Representatives of the  
31 Twenty-sixth Legislature of the State of Hawaii, Regular Session  
32 of 2012, the Senate concurring, that the Abercrombie  
33 Administration consider initiating legislation to require



1 written permission from landowners in order to hunt on private  
2 lands;

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4 BE IT FURTHER RESOLVED that the Administration consider the  
5 appropriateness of amendments to Section 183D-26, HRS, including  
6 but not limited to requiring written permission to hunt on  
7 private lands, and removing the requirement that a landowner  
8 file a sworn complaint before prosecution may be brought under  
9 that section;

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11 BE IT FURTHER RESOLVED that the Administration consider the  
12 appropriateness of amendments to Section 708-813, HRS, including  
13 but not limited to removing the provision that trespass is  
14 unlawful only if committed on lands that are fenced or enclosed  
15 in a manner to exclude intruders and including that a person  
16 commits criminal trespass in the first degree if they enter or  
17 remain unlawfully on private property at night while in  
18 possession of a firearm; and

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20 BE IT FURTHER RESOLVED that certified copies of this  
21 Concurrent Resolution be transmitted to the Governor of the  
22 State of Hawaii, the Chairperson of the Board of Land and  
23 Natural Resources, the Attorney General, and the Mayors and  
24 Councils of the Counties.

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